

**IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF DELAWARE**

KIA THOMAS and JEROME PITTS, SR., :
as Guardians ad Litem for J :
P a minor, :
 : **C.A.No. 08-205 (JJF)**
Plaintiff, :
 :
v. :
 :
BOARD OF EDUCATION OF THE :
BRANDYWINE SCHOOL DISTRICT; :
JOSEPH BRUMSKILL, MARK :
HUXSOLL, SANDRA SKELLEY, OLIVIA :
JOHNSON-HARRIS, CRAIG GILBERT, :
DEBRA HEFFERNAN and NANCY :
DOOREY, all individually and in their :
official capacities as members of the Board :
of Education of the Brandywine School :
District; BRUCE HARTER, individually :
and his official capacity as Superintendent :
of the Brandywine School District; and :
RACHEL HOLT, individually,

Defendants.

**UNSWORN DECLARATION OF RAEANN WARNER,
UNDER 28 U.S.C. § 1746**

I, Raeann Warner, hereby depose and state as follows:

1. I make this declaration on my own personal knowledge and I will testify hereto if called as a witness.
2. I am one of plaintiff's attorneys in the above captioned action.
3. I am licensed to practice law in Delaware, Pennsylvania, and New Jersey.
4. This case was originally filed in Delaware Superior Court on February 27, 2008. (D.I. 1).

5. Process was served on Defendant Bruce Harter, a nonresident defendant, on April 7, 2008, by delivering a copy of the summons, praecipe, complaint, and form 30 interrogatory responses to the Secretary of State of Delaware pursuant to 10 Del. C. § 3104. (see Sheriff's Return of Service, filed in Delaware Superior Court on April 21, 2008, attached hereto as Exhibit "A").

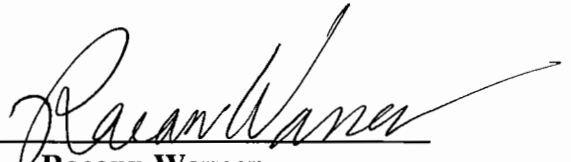
6. The Defendants then removed the case to the United States District Court for the District of Delaware on April 9, 2008. (D.I. 1).

7. An Answer was filed on behalf of Bruce Harter on April 21, 2008 (D.I. 5).

8. On April 23, 2008, I sent a copy of the complaint, summons, praecipe, form 30 interrogatory responses, Notice of Removal to Federal Court and Statement Pursuant to 10 Del. C. § 3104 to Bruce Harter, West Contra Costa Unified School District, 1108 Bissel Avenue, Richmond, California 94801-3136 via certified mail.

9. On May 5, 2008, I received the return receipt for that mailing indicating the package was received and signed for.

10. A copy of that return receipt is attached hereto as Exhibit "B".


Raeann Warner

I declare under penalty of perjury that the foregoing is true and correct. Executed on May 7, 2008.

EXHIBIT A

4/21/08
may be
10:42 AM

EFiled: Apr 22 2008 2:39 PM
Transaction ID 19516020
Case No. 08C-02-375-MJB



Sheriff's Return

Served the within Summons and copy of the following complaint:

SUMMONS/COMPLAINT/INTERROGATORIES

this day, Monday, April 7, 2008, personally upon **HARRIET SMITH WINDSOR**, Secretary of State of the State of Delaware, by leaving with her a true and correct copy of the said Summons for the defendant:

BRUCE HARTER

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2008 APR 21 AM 9:18

and a copy of the Complaint for the said defendant, together with the sum of \$ 2.00 Dollars, as prescribed by Section 3104 of Title 10 of the Delaware Code of 1978.

So Answers,



Jim Higdon
Sheriff of Kent County

EXHIBIT B

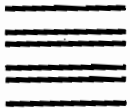
Is your RETURN ADDRESS completed on the reverse side?

SENDER: <input type="checkbox"/> Complete items 1 and/or 2 for additional services. <input type="checkbox"/> Complete items 3, 4a, and 4b. <input type="checkbox"/> Print your name and address on the reverse of this form so that we can return this card to you. <input type="checkbox"/> Attach this form to the front of the mailpiece, or on the back if space does not permit. <input type="checkbox"/> Write "Return Receipt Requested" on the mailpiece below the article number. <input type="checkbox"/> The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.	
3. Article Addressed to: Bruce Harter West Contra Costa Unified School District 1108 Bissell Avenue Richmond, California 94801-3124		4a. Article Number	
5. Received By: (Print Name) Bruce Harter		4b. Service Type <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD	
6. Signature: <i>[Signature]</i>		7. Date of Delivery APR 30 2008	
8. Addressee's Address (Only if requested and fee is paid)		PS Form 3811, December 2004 11b0 0003 4b30 4b41	

Return Receipt

Thank you for using Return Receipt Service.

UNITED STATES POSTAL SERVICE



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The Neuberger Firm
RaeAnn Warner Esq
2 East 7th Street, Suite 302
Wilmington, DE 19801

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MAY 05 2008

